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State of Utah

DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER
Executive Director

Division of Oil Gas and Mining

JOHN R. BAZA
Division Director

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MODIFICATION of Notice of Violation / Cessation Order

To the following Permittee or Operator:

Name: Staker & Parsons Companies attn: Mr. Mike Dalley, contact

Mailing Address: 151 W VINE ST Murray Utah 84107

Mine Name: Beck Street Permit Number: M/035/019

Utah Mined Land Reclamation Act, Section 40-8-1 et. seq., *Utah Code Annotated (1953)*:

Notice of Violation No N-07-058-02 dated December 14, 2007

Part 1 of 3 is modified as follows: Extension granted until January 10, 2008 for the Division receipt of the draft for the permit modifications and information outlining practices as outlined in 7.2 of the plan. Final Division approval of the plan modification and implementation will be thirty calendar days from January 10, 2008.

Reason for modification is: Operator is working with a consultant company and they need until January 10, 2008 due to workload and employee vacation time.

Part 3 of 3 is modified as follows: Extension granted until January 10, 2008 for test data and results to be received by the Division. Incorporation of the data and results into the plan with Division approval must occur within thirty calendar days from January 10, 2008.

Reason for modification is: Samples have been delivered to Utah State University and the University needs until January 10, 2008 for results due to limited staff availability during the holidays.

Date of service/mailling: 12/21/07

Time of service/mailling 3:30 ☒ a.m. ☒ p.m.

Date of inspection: _____

Permittee or Operator Representative

Title

Signature

Beth Ericksen
Division of Oil, Gas & Mining Representative

mining engineer
Title

Signature

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Notice of Violation NO. N2007-58-02

Violation No. 1 of 1

Nature of condition, practice, or violation:

A site inspection occurred on Oct. 4, 2007 that resulted in informing the Operator that signs were missing at the topsoil area, the fines piles had not been tested, and information was required about how the disturbed (but not currently being used or utilized) 58° highwall on the south end of the property was being kept environmentally stable and safe.

Provisions of act, regulations, or permit violated:

40-8-18.4(a), 40-8-12.2, R647-4-107.6, permit conditions violation (4.6) testing the fines, (9.1) signs at topsoil piles, (7.2) extent of reclamation, highwall benches

(Check box if appropriate:)

- Condition, practice, or violation is creating an imminent danger to health or safety of the public.
- ☐ Permittee/Operator is/has been conducting mining activities without a permit.
- ☒ Condition, practice, or violation is causing or can reasonably be expected to cause significant, imminent environmental harm to land, air, or water resources.
- ☐ Permittee or Operator has failed to abate Violation(s) No. _____ included in Notice of Violation No. or Cessation Order No. M _____ within time for abatement originally fixed or subsequently extended.

Mining activity to be ceased immediately: no

Affirmative obligation(s) or required action and abatement time (if applicable):

1. Provide information about how the southern end 58° highwall that is not currently used is being kept in an environmentally stable and safe manner. The information required will include how run-off and sediment is being controlled, location monitoring, minimizing rock fall hazards, and the practices as outlined in section 7.2 of the plan. Per 7.2, provide dates seeding and/or reseeded occurred on the completed highwall benches. 2. Install signs at the topsoil locations and provide photos and a written response to the Division once installation occurs. 3. Test the fines piles in the area and provide the following information to the Division: number of samples taken, data, and test results. Numbered items 1 & 3 above must be incorporated into the mining and reclamation plan and approved by the Division. Numbered item 3 data and results must meet the satisfaction of the Division.

Time frame for affirmative obligations numbered 1,2, 3 is as follows: Within 7-business days of the receipt date of this NOV: 1. will include initial draft submittal to the Division which include details of the monitoring plan, rock-fall hazard minimization and run-off management methods, and practices per 7.2 of the plan. 2. Install signs at topsoil locations per the plan and provide photos accompanied by a written response. 3. Provide all information including test results to the Division. Thirty (30) days from the receipt of this NOV, 1. must be incorporated into the mining and reclamation plan.

Operator is given a 7-day time frame due to lack of diligence on their part. A letter was mailed on October 10, 2007 outlining action requirements, Operator responded to the letter and a meeting was held on Nov. 5, 2007, a
NOV/CO

Division letter was sent Nov. 27, 2007 advising Operator to respond in writing to all issues. Operator has failed to respond via action, letter, or phone calls.

pb

cc:

Beth Ericksen, DOGM

Daron Haddock, DOGM

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